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Mandate of the Working Group on discrimination against women and girls

Gender equality and gender backlash*

1. Introduction

As laid out in detail in the 2018 report of the Working Group on discrimination against women and girls (WGDAWG) *Reasserting Equality, Countering Rollbacks*, there has been a significant backlash in recent years against women's rights and use of the term gender.¹ The term gender was originally conceptualised to explain and challenge the systematic oppression of women and, after the Beijing Conference, was considered one of the key concepts in international human rights. Now, twenty-five years later, not only has the term gender been attacked as imposing 'gender ideology,' many of the hard-won victories for women, particularly in the area of sexuality and reproduction, gender-sensitive education and even gender-based violence, are at risk. The COVID pandemic and measures taken by some states in response, have only worsened the situation.²

In the context of the increasing misuse of the concept of gender, attacks on gender (equality) and women's rights, the WGDAWG considers it important to take stock of these developments, to counter the anti-gender attacks, and to clarify the use of the concept in relation to its mandate. The concept of gender is of a fundamental importance to the WGDAWG as a special procedure mechanism mandated to work on the elimination of discrimination against women and girls.

* Written by Ivana Radačić and Alda Facio on behalf of the WGDAWG (and with inputs from other members). For a detailed review of the use of 'gender' in international law and the rise of anti-gender movements see M. Antić and I. Radačić (forthcoming in *Women's Studies International Forum*).

¹ Report to the Human Rights Council, A/HRC/38/46, para. 14.

² WGDAWG, *Responses to the COVID-19 pandemic must not discount women and girls*, 4 April 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25808&LangID=E>.

2. The concept of gender in feminism and human rights

The concept of gender first appeared in feminist writings in the 1970s to challenge the then dominant position of biological determinism, which had naturalised women's inequality as arising from the biological difference between women and men.³ Feminist theorists developed the concept to point to the social construction of gender inequality and the relational aspect of the meaning of femininity and masculinity. By emphasising the social construction of women's inequality, feminist theorists and activists from around the world called for political action to change this.

There were different feminist understandings of the term,⁴ but the dominant approach defined gender as referring to social norms, roles and expectations for women and men, as distinct from sex, which referred to the biological difference between them.⁵ While women of different social identities and socio-economic backgrounds were part of the feminist movement since its beginning,⁶ it was in the 1990s that the intersectionality perspective, which calls for an intersectional analysis of multiple interlocking dimensions of oppression, such as sex, gender, class, race, sexuality, ethnicity and disability, established itself fully as an important tool of analysis of discrimination. The coining of the term intersectionality helped clarify that women's social identities profoundly influence how each woman experiences gender.⁷ In addition, in the 1990s queer theory also started using the term gender, challenging (what it perceived as) the binary understanding of gender, sex/gender dichotomy, and the heteronormative assumptions of some feminist approaches.⁸

³ Although the connected ideas of sexual roles and psychological traits are discussed already in the late 1940s, the concept of gender in feminist writings appears for the first time in Kate Millett's *Sexual Politics* (New York: Doubleday, 1970) and Ann Oakley's *Sex, Gender and Society* (London: Temple Smith, 1972).

⁴ There are different ideas of what we term as gender in the different societies, but this is beyond the scope of this paper. See, for example, *Gender Concepts around the World*, available at <http://www.gendertrust.org.uk/gender-concepts-around-the-world/>

⁵ For a discussion of the main theories, see Connell, R. W. (1985), *Theorising Gender*. *Sociology*, 19 (2), pp. 260-272.

⁶ For an account of women's movements' engagement with the UN see Facio, A. (2018-2019), *Women's Human Rights on the Worldstage: Unfinished Story*. *Canadian Woman Studies*, 22 (1-2), pp. 1-13.

⁷ The term intersectionality was coined by K. Crenshaw in an effort to point at the 'multidimensionality of Black women's experience' which a single-axis analysis could not comprehend.' Crenshaw, K. (1989). *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*. *University of Chicago Legal Forum*, 1, pp. 139-167.

⁸ Queer theory introduced the notions of 'gender performativity', 'gender fluidity' and 'gender as a spectrum'. Gender performativity challenges the static conception of gender, proposing the idea of gender construction through 'stylized repetition of acts.' Gender fluidity denotes the 'unstablensness' of gender identity, while envisioning gender as a spectrum allows the inclusion of a different non-conforming 'performances' of gender

On the insistence of the feminist activists in the 1990s the term gender started being used in international human rights law. In 1992 the Committee on the Elimination of All Forms of Discrimination against Women (the CEDAW Committee) used the phrase ‘gender-based violence’ in its General Recommendation no 19. on violence against women.⁹ In the multi-lateral documents the term was first included in the Vienna Declaration and Programme for Action (1993),¹⁰ and then a year later in the International Conference on Population and Development Programme of Action, but was not defined.¹¹ In the Beijing Declaration and Platform for Action it was referenced over 200 times, but only after States agreed upon a statement that the term ‘was intended to be interpreted and understood as it was in its ‘ordinary, generally accepted usage.’¹² There was a significant opposition to the term, led by the Holy See, which argued that gender was ‘grounded in biological sexual identity, male or female.’¹³

Following the Beijing conference, in 1995, an Expert Group meeting was convened by the newly established OHCHR to help clarify the use of the term with respect to women’s human rights. The term gender was defined as referring to ‘the ways in which roles, attitudes, values and relationships regarding women and men are constructed by all societies all over the world.’ The expert group explained, ‘Historically, different cultures construct gender in different ways so that women’s roles, the value that their society places on those roles, and the relationship with men’s roles may vary considerably over time and from one setting to another.’¹⁴

However, in the multi-lateral fora, the opposition to such (social constructionist) conceptualisation continued.¹⁵ It was only in 2011 that the term was finally explicitly defined in an international human rights instrument, in line with the feminist social constructionist

that are often subsumed under umbrella term ‘non-binary’ or ‘genderqueer.’ Butler, J. (1990). *Gender Trouble: Feminism and Subversion of Identity*. New York: Routledge; Stone, S. (1987). *The Empire Strikes Back: A Posttranssexual Manifesto*. First presented at: *Other Voices, Other Worlds: Questioning Gender and Ethnicity*, Santa Cruz, CA; Fausto-Sterling, A. (1993). *The Five Sexes: Why Male and Female are not Enough*. *Science*, 33, pp. 20-25.

⁹ CEDAW Committee, General recommendation No.19 (1992), A/47/38.

¹⁰ Vienna Declaration and the Programme of Action, Vienna, 14-25 June 1993, UN Doc. A/CONF.103/9.

¹¹ Report of the International Conference on Population and Development, Cairo, 5-13 September 1994, UN. Doc. A/CONF.171/13/Rev.1.

¹² Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995, UN Doc. A/CONF.177/20/Rev.1.

¹³ Buss, D. E. (1998). Robes, Relics and Rights: The Vatican and the Beijing Conference on Women. *Social & Legal Studies*, 7 (3), pp. 339-363, at 348.

¹⁴ Expert group meeting on the development of guidelines for the integration of gender perspectives into human rights activities and programmes, 20 November 1995, UN. Doc. E/CN.4/1996/105, para 13.

¹⁵ The Rome Statute (Article 3), for example, defined gender as referring ‘to the two sexes, male and female, within the context of society’ (UN Doc. A/CONF.103/9), which was replicated in the Outcome Document of the 2001 UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban (UN. Doc. A/CONF/189/12).

approach. Viewing gender as an important concept in addressing gender-based violence, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention, Article 3) defined it as ‘the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.’

While this is the first such definition in a legally binding international instrument, it had been already operational in international human rights law. For example, in 2010, when interpreting sex discrimination to include gender discrimination, the CEDAW Committee defined the term similarly as referring to:

socially constructed identities, attributes and roles for women and men and society’s social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women.¹⁶

Despite the fact that this understanding of gender was not new, its definition in the Istanbul Convention was one of the primal points of contestations by the anti-gender movements. Another point of contestation of the Istanbul Convention was its explicit reference to the prohibition of discrimination on the basis of ‘gender identity,’¹⁷ which at the time of its adoption had already been recognised as a prohibited ground.¹⁸ Indeed, in 2011 the Human Rights Council adopted the first resolution on sexual orientation and gender identity,¹⁹ and in 2016 it established the mandate of the Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity.²⁰

While the term gender identity has not yet been defined in any legally binding treaty, the Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity, defined it as:

each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may

¹⁶ CEDAW Committee, General recommendation No. 28 (2010), section 5, CEDAW/C/GC/28.

¹⁷ The Convention (Article 4 (3)) includes gender identity as one of the prohibited grounds of discrimination.

¹⁸ McGoldrick, D. (2016). The Development and Status of Sexual Orientation Discrimination under International Human Rights Law. *Human Rights Law Review*, 16, 613–668.

¹⁹ Human Rights, Sexual Orientation and Gender Identity, HRC/RES/17/19.

²⁰ Protection against violence and discrimination based on sexual orientation and gender identity, HRC/RES/32/2.

involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerism.²¹

Similarly, the Independent Expert on protection from violence and discrimination based on sexual orientation and gender identity explained in its first report to the Human Rights Council that the term referred to ‘how a person self-identifies in regard to his or her own gender, which may be different from the gender assigned at birth.’²²

In feminist theorising the term gender has been predominantly used to point to the social structures and norms which produce the unequal position of women (as a group). Gender has also been conceptualised as a continuum of individual expression and experience, and especially in trans gender theories, emphasis has been placed on the internal experience of gender. The different and sometimes oppositional uses of the term have created a further layer of complexity, which the anti-gender opposition took advantage of in undermining it. The WGDAWG hence finds it useful to explain how it uses the term in the context of its mandate of eliminating discrimination against all women and girls.

3. Gender in the mandate of the WGDAWG

The WGDAWG was created in 2010 with a mandate to help identify instances of discrimination against women worldwide as well as ‘the good practices related to the elimination of laws that discriminate against women or are discriminatory to women in terms of implementation or impact ...’ in dialogue with states and other relevant actors.²³ In 2019, its name was changed to explicitly include girls,²⁴ although the WGDAWG has always understood its mandate to include women (including those who identify as women) of all ages, as well as of different identities and socio-economic and cultural backgrounds. It has taken a life cycle approach to understanding discrimination against women, as gender inequality manifests itself at all stages of life.

²¹ Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity (2007). Updated Yogyakarta Principles (plus 10) defined two additional concepts (in preamble). Gender expression is defined as ‘each person’s presentation of the person’s gender through physical appearance – including dress, hairstyles, accessories, cosmetics – and mannerisms, speech, behavioural patterns, names and personal references,’ which ‘may or may not conform to a person’s gender identity.’ Sex characteristics are defined as ‘each person’s physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty.’ The full text of the Yogyakarta Principles and the Yogyakarta Principles plus 10 available at: www.yogyakartaprinciples.org.

²² Report to the Human Rights Council, A/HRC/35/36.

²³ Human Rights Council resolution on elimination of discrimination against women, HRC/RES/15/23.

²⁴ Human Rights Council resolution on elimination of all forms of discrimination against women and girls, HRC/RES/41/6.

The WGDAWG has in its work referred to the CEDAW Committee's interpretation of discrimination against women,²⁵ which, as explained above, in addition to sex, operates with the term gender as referring to 'the socially constructed identities, attributes and roles for women and men and society's social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women.' Moreover, like the CEDAW Committee, the WGDAWG finds that discrimination against women is based on both, biological and socially constructed differences and acknowledges that women's experiences of discrimination are determined also by other social identities (race, ethnicity, disability, age, sexuality etc). It aims to include specifically the voices of women facing intersectional and multiple forms of discrimination in all tools at its disposal (thematic and country visit reports, communications, statements). In its 2018 thematic report, for example, the WGDAWG emphasised that there are:

multiple and intersecting forms of discrimination against women around the world and within countries that reinforce and sustain each other. All women, in their diversity and many different circumstances, are affected differently by discriminatory laws and practices.²⁶

In line with this intersectional approach, and as a mechanism for all women, the WGDAWG has in its work aimed to address also the specific problems faced by women of diverse sexual orientations and gender identities. While the WGDAWG understands 'gender identity' in its accepted meaning as deeply felt internal and individual experience of gender, it emphasises that it is not (per)formed independently of the gendered social structures and norms. Gender is neither a substitute for the term women nor it is a term which refers only to transgender persons; rather, it refers to social system(s) that operate at different levels to create vulnerabilities and privileges for all gendered people.²⁷ It is both a system of domination and an individual expression formed in the social context of gender (and other systems of) inequality. While it is not located solely in the individual or in interpersonal relationships, it manifests itself in personal identities and in social interactions.

²⁵ Discrimination against women 'shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.' (CEDAW, Article 1).

²⁶ A/HRC/38/46, para 11.

²⁷ Interview by Mindy Jane Roseman with Gita Sen, Public Policy Professor, Ctr. for Pub. Policy, Sir Ratan Tata Chair Professor, Indian Inst. of Mgmt., at Harvard Law School (15 December 2009), as cited in Miller, A. (2011) Fighting Over the Figure of Gender. *Pace Law Review* (31), pp. 837-872.

The WGDAGW understands gender as a system of hierarchy, which uses socialisation to construct human beings according to what the culture prescribes for different sexes. This system disproportionately distributes power to males via the cultural hegemony of over-valued masculinity. It establishes patterns of expectations of behaviour, orders the social processes of everyday life, is built into the major social organisations of society such as the family, the economy, the legal and justice systems, the media, and is also an entity in and of itself. As a system of domination, it is maintained through: 1. control of women's sexuality and reproductive capacity; 2. the sexual division of labour; 3. the establishment of the male sex and masculinity as the norm; 4. the idea that there exists two distinct dichotomous sexes and the idea that heterosexuality is the norm.

Gender systems link with, but are distinct from, the systems that organise sexuality and sexual orientation.²⁸ But sexism, normative heterosexuality and dichotomous understanding of gender are all-interrelated, as expressions of the patriarchal structures. It is thus not surprising that both women's rights and LGBTIQ+ rights have been attacked by the anti-gender movements.

4. Gender backlash and the anti-gender movements

Anti-gender campaigns started as soon as the term gender was introduced in the UN in the 1990s, but were led at the international negotiations and the theological level.²⁹ In the 2010s trans-national movements organised around fighting 'gender ideology',³⁰ which sees gender as a tool of 'an ideological colonisation' that aims to destroy the traditional family and family values, mobilised, first in Europe, and then in Latin America. Women's rights and LGBTIQ+ rights have been under attack in other regions as well in the recent decade. Moreover, some states have opportunistically used the COVID pandemic crisis to undermine women's (particularly reproductive) rights, as well as LGBTIQ+ rights.³¹

²⁸ Miller, A. et al (2016). *Why the UN needs a broad concept of gender*, available at <https://law.yale.edu/ghjp/projects/gender-sexuality-and-rights/why-un-needs-broader-concept-gender> .

²⁹ Corrêa, S. (2017). *Gender Ideology: tracking its origins and meanings in current gender politics*. Available at: <https://blogs.lse.ac.uk/gender/2017/12/11/gender-ideology-tracking-its-origins-and-meanings-in-current-gender-politics/>

³⁰ Referencing gender as a feminist ideology started already with the 1997 publication of *The Gender Agenda* by Dale O'Leary. This document argues that substituting the word gender for sex in spaces like the United Nations is part of an international feminist strategy to undermine the belief that women and men fill distinct, immutable, complementary roles which, once gone, will inevitably lead to the dissolution of the family and society.

³¹ See, for example, WGDAGW's statement *Responses to the COVID-19 pandemic must not discount women and girls*, 20 April 2020; joint statement *COVID-19: The suffering and resilience of LGBT persons must be visible and inform the actions of States*, 14 May 2020; and joint press releases *Authorities manipulating COVID-19 crisis to restrict access to abortion, say UN experts*, 27 May 2020; *UN rights experts fear Uganda is using COVID-19 emergency powers to target LGBT people*, 27 April 2020.

The anti-gender (ideology) movements include three specific groups of conservative actors – governmental, religious and civil society actors, who have formed different national and transnational alliances with shared strategies and objectives. These include propagation of anti-gender discourse, as well as using direct citizen action (such as petitions, protests, prayers) and governmental mechanisms to influence or change educational systems, legislation and public opinion. Specific targets of the movements are LGBTIQ+ rights, reproductive rights, sexuality and gender-sensitive education in schools, and the very notion of gender. Women human rights defenders who work in these areas, in particular those defending sexual and reproductive rights, have also increasingly been subjected to hostilities by anti-gender movements.³² Below we give some examples of the attacks on women’s rights, which have come to the attention of the WGDAWG.

4.1. Attacks on reproductive rights

In recent years, the WGDAWG has witnessed the emergence of campaigns and legislative proposals to restrict or ban abortion (which in some countries includes proposals for a total ban) as well as the rising problem of unavailability of abortion due to the rise of ‘conscientious objections’ and other procedural hurdles. Simultaneously, initiatives to reform the restrictive legislation in Latin American countries have been under attack. Most recently, some States have attempted to curtail access to termination to pregnancy during the COVID-19 pandemic.

The WGDAWG considers the defence of reproductive rights as one of its core tasks, particularly in the current context.³³ In addition to addressing these issues in its thematic reports (in particular the 2016 report on eliminating discrimination against women in the area of health and safety, and the 2018 thematic report on reasserting equality, countering rollback) and all of its country visit reports, it has issued a position paper on reproductive rights.³⁴ Moreover, the WGDAWG has dealt with a number of communications regarding restrictive abortion laws or proposals of such laws, and the procedural impediments to access to abortion³⁵ and has submitted several amicus curiae briefs on the topic.³⁶ It has also issued press releases

³² Thematic report *Reasserting equality, countering rollbacks* (2018), A/HRC/38/46.

³³ Working Group’s 2018 thematic report, A/HRC/38/46.

³⁴ *Women’s Autonomy, Equality and Reproductive Health in International Human Rights: Between Recognition, Backlash and Regressive Trends*, 2017, available at <https://www.ohchr.org/Documents/Issues/Women/WG/WomensAutonomyEqualityReproductiveHealth.pdf>

³⁵ See for example, JAL USA 4/2015, OL ARG 3/2018, JAL Pol 1/2016, GTM 12/2018, ECU 3/2013, DOM 3/2016, available at <https://spcommreports.ohchr.org/>.

³⁶ Amicus briefs submitted by the Working Group to the Supreme Court of Brazil on the denial of abortion services and the prohibition of torture and cruel, inhuman and degrading treatment, to the Supreme Court of the United Kingdom on the termination of pregnancy, to the Constitutional Court of the Republic of Korea on

concerning recent attacks on reproductive rights³⁷ and public statements.³⁸ It is committed to asserting these rights.

4.2. Attacks on gender equality and sexuality education

The WGDAGW has also observed attacks on sexuality education and gender-sensitive education in many countries in recent years. The attacks include opposing introduction of sexuality education, or education for gender equality, closing of gender studies programmes and reducing funds for gender studies, and most recently introducing or proposing laws prohibiting education on sexuality and/or gender.

The WGDAGW in its work places an emphasis on gender equality education and sexuality education, as a necessary step for eliminating discrimination against women. It has dealt with these issues in its reports (particularly the 2018 report, where it addressed the attacks on sexuality education) and all of its country visit reports. It has also issued several communications³⁹ and a public statement⁴⁰ on the topic. It is committed to advocating for gender equality and sexuality education.

4.3. Attacks on the instruments on gender-based violence

In addition, the WGDAGW has been witnessing attacks on the concept of gender in the instruments addressing gender-based violence, particularly in Central and Eastern European countries, where there has been significant opposition to the ratification of the Istanbul Convention. In some countries the ratification process was delayed, or stopped, and in others the Convention was proclaimed as not conforming with the Constitution.

In its country visits to the Council of Europe countries, the WGDAGW has consistently called on the Governments to ratify the Istanbul Convention without reservations and ensure its

review of the constitutionality of the country's criminal law on abortion. Available at <https://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/AmicusCuriae.aspx>

³⁷ See also the press release *Authorities manipulating COVID-19 crisis to restrict access to abortion*, 27 May 2020; and *Poland urged not to criminalise sex education or tighten access to abortion*, 16 April 2020.

³⁸ WGDAGW regularly issues public statements on International Safe Abortion Day. Its statements and press releases are available at https://www.ohchr.org/EN/NewsEvents/Pages/NewsSearch.aspx?MID=WG_Women.

³⁹ Letter of 15 August 2018 to Peru concerning an upcoming decision of the Supreme Court that would annul the gender focus in the National Curriculum for Basic education, available at

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24040>; Letter to Hungary of 12 September, concerning a directive forbidding the teaching of the subject of gender studies at institutions of higher education, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24042>

⁴⁰ See, for example, the press release *Poland urged not to criminalise sex education or tighten access to abortion*, 16 April 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25796&LangID=E>

effective implementation.⁴¹ The WGDAWG considers violence against women the most egregious form of discrimination against women and is committed to work for its eradication. Recently, it expressed its worry about the rise of gender-based violence during the pandemic and the often inadequate responses of the States.⁴²

4.4. Attacks on women human rights defenders

The WGDAWG has been observing growing hostilities towards women human rights defenders in recent years. As noted in its 2018 thematic report, women human rights defenders have been facing serious challenges around the world driven by deep-rooted discrimination against women and stereotypes about their ‘appropriate’ role in society, intensified by rising fundamentalism, political populism, unchecked authoritarian rule and a focus on corporate profit.⁴³ Those working on the rights contested by the fundamentalist groups, such as women’s sexual and reproductive rights and the rights of lesbian, gay, bisexual and transgender persons, as well as those denouncing the actions of extractive industries and businesses, have been at heightened risk, including the risk of violence and murder.⁴⁴

The WGDAWG has continuously aimed to give voice to women human rights defenders and increase the visibility of their struggles. Not only does the WGDAWG engage in conversations with women human rights defenders during its country visits, but in its convening capacity it brings them to the UN spaces with the aim of amplifying their voices and addressing the human rights abuse they face.⁴⁵ Moreover, most of the recent communications of the WGDAWG deal with human rights abuses suffered by women human rights defenders.⁴⁶ The WGDAWG has also issued many public statements on the topic (such as on the occasion of International

⁴¹ Report on the country visit to Hungary in 2016 (A/HRC/35/29/Add.1) and the Report on the country visit to Poland in 2018 (A/HRC/41/33/Add.2)

⁴² WGDAWG, *Responses to the COVID-19 pandemic must not discount women and girls*, 4 April 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25808&LangID=E>

⁴³ A/HRC/38/46, para 42.

⁴⁴ Ibid.

⁴⁵ Most recent panels include: *States’ responsibility towards the protection of women human rights defenders: 20 years after the Declaration on Human Rights Defenders*, UN Headquarters, New York, 26 July 2018. *Current challenges and opportunities for women human rights defenders: How can the international community better support their work?* CSW63, UN Headquarters, New York 13 March 2019.

⁴⁶ See, for example, HND 4/2019, DZA 2/2020, EGY 14/2019, BGD 1/2019, MYS 2/2019, available at <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

Women's Human Rights Defenders Day)⁴⁷ and is committed to working with them, and to amplifying their voices in dealing with the COVID-19 crisis.⁴⁸

4. Concluding remarks

In recent years we have observed serious backlash against women's rights and the very concept of gender and gender equality. Since 2010 transnational movements opposing the so-called gender ideology have formed, including from conservative religious, civil society and State actors. Twenty-five years since gender has been recognised as an important tool in combating discrimination against women in the Beijing Declaration and Platform for Action, the term is now seriously contested, putting in jeopardy many of the hard-fought gains that women have achieved.

In this position paper the WGDAWG re-asserted the usefulness of the concept of gender for eliminating discrimination against women and clarified how it uses the term. Finally, this paper highlighted current challenges to women's rights, in particular the attacks by the anti-gender movements fighting so-called gender ideology. The WGDAWG will continue to address these challenges and work for elimination of all discrimination against women and girls.

⁴⁷ The Working Group has also issued statements and press releases concerning the situation in specific countries. See, for example, *Cameroon must protect human rights defenders*, 28 April 2020; *Thailand: judicial system abused by business to silence human rights defenders*, 12 March 2020; *Saudi Arabia: UN experts urge freedom for Loujain Al-Hathloul after 500 days in prison*, 27 September 2019; and *Iran: Release women jailed for protesting against compulsory wearing of veil*, 16 August 2019. WGDAWG's press releases and statements are available at https://www.ohchr.org/EN/NewsEvents/Pages/NewsSearch.aspx?MID=WG_Women

⁴⁸ *Responses to the COVID-19 pandemic must not discount women and girls*, 20 April 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25808&LangID=E>.